

*D mage* # 1644  
JFC

I hereby certify that this correspondence is being deposited with the US Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.



Date: January 16, 2004

By:

*Carol A. See*  
Carol A. See

PATENT  
Docket No. GC527C3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Estell et al. ) Group Art Unit: 1644  
Serial No.: 09/768,080 ) Examiner: Saunders, D.  
Filed: January 23, 2001 )  
For: Proteins Producing an Altered )  
Immunogenic Response and )  
Methods of Making and Using )  
the Same )

**Supplemental Information Disclosure Statement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449 and attached thereto) of which they are aware, that they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

(a)  accompanies the new patent application submitted herewith. 37 CFR §1.97(a).

(b)  is filed within three months after the filing date of the application or within three months after the date of entry into the national stage of a PCT application as set forth in 37 CFR §1.491.

(c)  as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.

01/23/2004 JBALINAN 0000099 071048 09768080

01 FC:1806 180.00 DA

(d)  is filed after the first Office Action and more than three months after the application filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180.00) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Authorization to charge Deposit Account No. 07-1048 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement is provided in the Transmittal Letter submitted herewith in duplicate.

(e)  is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by authorization (in the Transmittal Letter submitted herewith in duplicate) to charge Deposit Account No. 07-1048 the fee (\$180.00) set forth in 37 CFR §1.17(l)(1) and a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the Supplemental Information Disclosure Statement.**

**[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.]** The undersigned certifies that:

Each item of information contained in the Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

A copy of the items on Form PTO-1449 is supplied: PCT International Search Report for PCT/US 01/30062, filed September 26, 2001 with attached patents and publications.

each  none  only those listed below:

WO 00/34317

A concise explanation of relevance of the items listed on PTO-1449 is:

- not given
- given for each listed item
- given for only non-English language listed item(s)
- in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention." MPEP §609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: January 16, 2004



Kamrin T. MacKnight  
Registration No. 38,230

Genencor International, Inc.  
925 Page Mill Road  
Palo Alto, CA 94304-1013  
Tel: 650 846-5838  
Fax: 650 845-6504

## INFORMATION DISCLOSURE CITATION

|                               |   |                        |
|-------------------------------|---|------------------------|
| Attorney Docket No.: GC527-C3 | <b>O I P E</b>  | Serial No.: 09/768,080 |
| Applicant: David A. Estell    |   |                        |
| Filing Date: January 23, 2001 | JAN 20 2004<br>PATENT & TRADEMARK OFFICE<br>U.S. DEPARTMENT OF COMMERCE | Group: 1644            |
| Page <u>1</u> of <u>1</u>     | Date of this Submission: January 16, 2004                               |                        |

## US PATENT DOCUMENTS

| Examiner's<br>Initial | Document<br>Number | Date | Name | Class | Sub-<br>Class | Filing<br>Date |
|-----------------------|--------------------|------|------|-------|---------------|----------------|
|                       |                    |      |      |       |               |                |
|                       |                    |      |      |       |               |                |
|                       |                    |      |      |       |               |                |
|                       |                    |      |      |       |               |                |

## FOREIGN PATENT DOCUMENTS

| Examiner's | Document    |         |         |       | Sub-  | Translation |
|------------|-------------|---------|---------|-------|-------|-------------|
| Initials   | Number      | Date    | Country | Class | Class | Yes/No      |
|            | WO 00/34317 | 6/15/00 | PCT     |       |       |             |
|            |             |         |         |       |       |             |

## OTHER DOCUMENTS

| Examiner | Date Considered |
|----------|-----------------|
|          |                 |

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PTO 1449